

STATE OF MISSISSIPPI
COUNTY OF DESOTO

James S. Cowan
HUN# 1460146

SUBSTITUTED TRUSTEES DEED

WHEREAS, on the May 24, 1991, James S. Cowan and wife, Tressia Y. Cowan executed a Deed of Trust to L. Patrick Sandlin, Trustee for the benefit of Community Mortgage Corporation, which Deed of Trust is filed for record in Book 543, Page 19, in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and

WHEREAS, said Deed of Trust was subsequently assigned to The Huntington Mortgage Company by instrument dated May 29, 1991 and filed for record in Book 551, Page 3 of the aforesaid records; and

WHEREAS, as authorized by the aforesaid Deed of Trust and in strict accordance therewith, The Huntington Mortgage Company appointed and substituted J. Gary Massey as Trustee therein in the place and stead of the trustee named in said Deed of Trust or subsequently substituted therein by Substitution of Trustee dated August 2, 1993, and duly filed for record in the office of the aforesaid Chancery Clerk in Book 654, Page 389 and re-recorded in Book 656, Page 768 prior to the first publication and posting of the notice of sale; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness, together with attorney's fees, expenses and costs, immediately due and payable, as was its option so to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the Substituted Trustee having been requested and directed by The Huntington Mortgage Company to foreclose under the terms of said Deed of Trust, I did on the 13th day of October, 1993, during legal hours, being between the hours of 11:00 a.m. and 4:00 p.m., at the main east door of the County Courthouse of DeSoto County, Mississippi, in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in DeSoto County, Mississippi, being more particularly described as follows, to wit:

Lot 68, Section C, Magnolia Estates Subdivision, located in Section 35, Township 1 South, Range 6 West, City of Olive Branch, DeSoto County, Mississippi, as shown on plat recorded in Plat Book 36, Page 21, in the office of the Chancery Clerk of DeSoto County, Mississippi, and being more particularly described as follows, to-wit:

Beginning at a point on the east line of Ashland Drive (50' ROW) said point being 110.0 feet south of the tangent intersection with the south line of Yates Drive; thence north 88 Degrees 14 minutes East along the north line of Lot 79 a distance of 80 feet to the northeast corner of Lot 79; thence north 2 degrees 54 minutes west along the west line of Lot 69 a distance of 110.00 feet to a point on the south line of Yates Drive (50' ROW) said point being the northwest corner of Lot 69; thence south 88 degrees 14 minutes west along the south line of Yates Drive a distance of 55.00 feet to a point; thence along a curve to the left with a radius of 25.00 feet, a Delta of 88 degrees 52 minutes, and an Arc length of 38.78 feet to a point on the east line of Ashland Drive; thence south 02 degrees 54 minutes east along said east line of Ashland Drive a distance of 80.00 feet to the point of beginning, as shown on plat of survey made by Danny Metts, R.L.S., dated May 8, 1991.

Said property was sold after strictly complying with all the terms and conditions of said Deed of Trust and the statutes made and provided in such cases. A notice of time, place and terms of said sale, together with a description of the property to be sold, was given by publication in the DeSoto County Tribune, a newspaper published in DeSoto County, Mississippi for three consecutive weeks preceding the date of sale. The first notice of the publication appeared on September 22, 1993, and subsequent notices appeared on September 29, October 6, 1993, (a certified copy of which is attached hereto,) and a notice identical to the published notice was posted on the bulletin board at the main east door of the County Courthouse of DeSoto County, Mississippi for said period of three consecutive weeks. Everything necessary to be done was done to make and effect a good and lawful sale.

At said Sale, The Huntington Mortgage Company bid for said property in the amount of Sixty Thousand Four Hundred Thirty-one and 32/100 Dollars (\$60,431.32), which being the highest and best bid, the same was then and there struck off to The Huntington Mortgage Company and it was declared the purchaser thereof.

NOW THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto The Huntington Mortgage Company the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, this 13th day of October, 1993.

J. Gary Massey
J. Gary Massey, Substituted Trustee

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BK 263 PG 177
W.E. DAVIS, CH. CLK.
by B. Cleveland &

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for said county and state, on this the 13th day of October, 1993, the within named J. Gary Massey, Substituted Trustee, duly identified before me, who acknowledged that in said representative capacity he executed the above and foregoing instrument, after having first been duly authorized to do so.

Stacie S. Herndon
Notary Public

My Commission Expires:

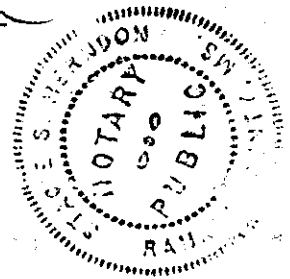
My Commission Expires July 16, 1996

GRANTOR'S ADDRESS:

J. Gary Massey, Substitute Trustee
Deposit Guaranty Building
200 East Capitol Street, Suite 1745
Jackson, MS 39201
601-968-9986
S&K #93-0312

GRANTEE'S ADDRESS:

The Huntington Mortgage Company
P. O. Box 1558
Columbus, OH 43216
614-476-7350





TRIBUNE

P.O. Box 486
Olive Branch, MS 38654

601-895-6220

D.W. JONES
PUBLISHER

Proof of Publication

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, a Notary Public in and for said County and State, D.W. Jones, publisher of the DeSoto County Tribune, a newspaper published in the City of Olive Branch and having a general circulation in said County, who being duly sworn, deposed and said that the publication of a notice of which a true copy is hereto affixed, has been made in said newspaper for a period of Three (3) weeks consecutively, as follows, to wit:

In Vol. XXI No. 44, dated the 22nd day of September, 1993
In Vol. XXI No. 45, dated the 29th day of September, 1993
In Vol. XXI No. 46, dated the 6th day of October, 1993
In Vol. _____ No. _____, dated the _____ day of _____, 19____
In Vol. _____ No. _____, dated the _____ day of _____, 19____

and that the DeSoto County Tribune has been published continuously for a period of more than one year.

D.W. Jones
PUBLISHER

Sworn to and subscribed before me, this 6th
day of Oct., 19 93
(SEAL)

Charlotte Hopper
NOTARY PUBLIC

My commission expires MY COMMISSION EXPIRES FEB. 5, 1997
To Shapiro & Kreisman
for taking the annexed publication of 506
words or the equivalent thereof for a total of Three (3)
times \$ 91.08, plus \$1.00 for making a proof
of publication and depositing to same for a total cost
of \$ 92.08

**SUBSTITUTED TRUSTEE'S
NOTICE OF SALE**

WHEREAS, on May 24, 1991, James S. Cowan and wife, Tressia Y. Cowan executed a certain deed of trust to L. Patrick Sandlin, Trustee for the benefit of Community Mortgage Corporation which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 543, Page 19; and

WHEREAS, said Deed of Trust was subsequently assigned to The Huntington Mortgage Company by instrument dated May 29, 1991 and filed for record in Book 551, Page 3 of the aforesaid Chancery Clerk's office; and

WHEREAS, The Huntington Mortgage Company has heretofore substituted J. Gary Massey as Trustee, by instrument dated August 2, 1993 and recorded in the aforesaid Chancery Clerk's Office in Book 654, Page 386 and re-recorded in Book 656, Page 785; and

WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said deed of trust, The Huntington Mortgage Company, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

NOW, THEREFORE, J. Gary Massey, Substituted Trustee in said deed of trust, will on the 13th day of October, 1993 offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), at the east door of the County Courthouse of DeSoto County, located at Hernando, Mississippi to the highest and best bidder for cash the following described property situated in DeSoto County, State of Mississippi, to-wit:

Lot 68, Section C, Magnolia Estates Subdivision, located in Section 35, Township 1 South, Range 6 West, City of Olive Branch, DeSoto County, Mississippi, as shown on plat recorded in Plat Book 38, Page 21 in the office of the Chancery Clerk of DeSoto County, Mississippi, and being more particularly described as follows, to-wit:

Beginning at a point on the east line of Ashland Drive (50' ROW) said point being 110.0 feet south of the tangent intersection with the south line of Yates Drive; thence north 88 Degrees 14 minutes East along the north line of Lot 79 a distance of 80 feet to the northeast corner of Lot 79; thence north 2 degrees 54 minutes west along the west line of Lot 69 a distance of 110.00 feet to a point on the south line of Yates Drive (50' ROW) said point being the northwest corner of Lot 69; thence south 88 degrees 14 minutes west along the south line of Yates Drive a distance of 55.00 feet to a point; thence along a curve to the left with a radius of 25.00 feet, a Del. of 88 degrees 52 minutes, and an Arc length of 38.78 feet to a point on the east line of Ashland Drive; thence south 02 degrees 54 minutes east along said east line of Ashland Drive a distance of 80.00 feet to the point of beginning, as shown on plat of survey made by Danny Metta, R.L.S., dated May 8, 1991.

I WILL CONVEY only such title as vested in me as Substituted Trustee.

WITNESS MY SIGNATURE this the 7th day of September, 1993.

/s/ J. Gary Massey
SUBSTITUTED TRUSTEE for
The Huntington Mortgage Company
Shapiro & Kreisman
Deposit Guaranty Building
200 East Capitol Street, Suite 1745
Jackson, Mississippi 39201
(601) 968-8986

Sept. 22, 1993

Cowan 709d
SHAPIRO & KREISMAN
DEPOSIT GUARANTY BLDG.
200 E. CAPITOL ST STE. 1745
JACKSON, MS 39201
Jm